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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

Federal Communications Commission
Office of Secretary

In the Matter of)
)
Implementation of Section 304 of the)
Telecommunications Act of 1996) CS Docket No. 97-80
)
Commercial Availability of)
Navigation Devices)
_____)

To: The Commission

REPLY COMMENTS OF CIRCUIT CITY STORES, INC.

Richard L. Sharp
Chairman & CEO

W. Stephen Cannon
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June 23, 1997

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To: The Commission

REPLY COMMENTS OF CIRCUIT CITY STORES, INC.

Circuit City Stores, Inc. ("Circuit City") fully endorses the Reply Comments of the Consumer Electronics Retailers Coalition ("CERC") in this proceeding.

In its Comments, Circuit City urged expeditious enforcement of Section 629 of the Communications Act. As the nation's largest retailer of branded consumer electronics, Circuit City has a strong interest in achieving a competitive consumer market in customer premises equipment.

Circuit City argued that, in practical terms, "commercial availability" means that navigation devices must be nationally portable, either across a national MVPD system (e.g., direct broadcast satellite or DBS) or across similar local MVPD systems (e.g., cable-to-cable) nationwide. In the absence of such national portability, there will be little incentive for manufacturers to make, retailers to stock, or consumers to buy, devices designed to offer access to MVPD systems.

To achieve a national commercial market in CPE for MVPD systems, a basic level of technical compatibility is necessary for security and transmission. Beyond this, the marketplace should be free to develop MVPD services and product functions and features. To the extent standards are necessary, the Commission should require the adaptation of standards developed by private sector committees, and require that noncompliant MVPD systems support particular technical performance goals by dates certain. The Commission should not have to engage in supervising the actual formulation of private sector standards, unless circumstances clearly warrant.

In the Reply phase, Circuit City's views are fully reflected in the Reply Comments of CERC, which has addressed these issues for several years on behalf of major retailers of consumer electronics and computer products. Circuit City also endorses the Reply Comments filed today by the Navigation Device Competition Coalition.

Having for so long supported competitive commercial availability of CPE in legislative and standards arenas and at the Commission, Circuit City is pleased to be in such good company in this proceeding. The Commission should take note of the emerging consensus, in the cable, telephone, information technology and consumer electronics industries, supporting the private sector standards that will make competition possible.

In particular, Circuit City applauds the NCTA's support in principle for a national security interface that would enable device competition.^{1/} Circuit City also endorses the specific and constructive proposals of Time Warner for standards supporting such an interface -- to allow host devices that are manufactured and sold competitively to be configured to support the particular features of local cable systems.^{2/}

Circuit City continues to believe that this proceeding will succeed only if the Commission takes a proactive role in setting technically specific performance requirements. This will set a context, and deadlines, for the success of private sector standards activity.

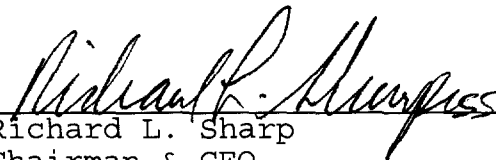
The Commission should view this proceeding not as a task, but as an opportunity to address the challenges presented by the transition to digital means of transmission. If firm and aggressive action is taken now, so that standard computer and consumer electronics products can be conformed as Navigation Devices for both DTV and particular MVPD systems, consumers will avoid the expense of redundancy and incompatibility in the future.

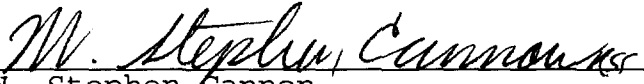
^{1/} NCTA comments at 29-30.

^{2/} Time Warner comments at 42-43.

Respectfully submitted,

CIRCUIT CITY STORES, INC.

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the Reply Comments of Circuit City Stores, Inc. has been served on the parties listed below on this 23rd day of June, 1997.

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